

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Donnie Speller Moore

Docket No. 4:94-CR-8-1BO

Petition for Action on Supervised Release

COMES NOW J. Brock Knight, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Donnie Speller Moore, who, upon an earlier plea of guilty to 21 U.S.C. § 841(a)(1), Possession With Intent to Distribute Cocaine Base (Crack), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on November 9, 1994, to the custody of the Bureau of Prisons for a term of 188 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Donnie Speller Moore was released from custody on April 25, 2008, at which time the term of supervised release commenced.

A Violation Report was previously submitted to the Court on September 17, 2009, addressing new criminal conduct, Assault on a Female, which was subsequently dismissed on November 24, 2009. No adverse action was recommended and the defendant was continued under the current conditions of supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On January 9, 2011, the defendant was arrested by Officer Zachary Martin of the Belhaven Police Department and charged with Driving While Impaired and Driving While License Revoked. These charges are pending adjudication in Beaufort County District Court. When questioned by the probation officer about these charges, Moore admitted that he was operating a motor vehicle after consuming alcohol and while his driver's license was revoked. As a sanction for these offenses, we are recommending the Court add a condition to the defendant's supervision requiring him to perform 40 hours of community service. Additionally, the defendant will be required to complete a substance abuse assessment and further treatment if recommended.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 40 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Senior U.S. Probation Officer

/s/ J. Brock Knight
J. Brock Knight
U.S. Probation Officer
201 South Evans Street, Room 214
Greenville, NC 27858-1137
Phone: (252) 758-7200
Executed On: January 20, 2011

ORDER OF COURT

Considered and ordered this 20 day of January, 2011, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge